

1 Rule 7.4. Communication of ~~f~~Fields of ~~p~~Practice.

2 (a) A lawyer may communicate the fact that the lawyer will accept employment in  
3 specified areas of practice. A lawyer whose practice is limited to specified areas of  
4 practice may communicate that fact. A lawyer shall not hold himself out publicly as a  
5 specialist and shall not indicate any certification or designation as a specialist, except as  
6 follows:

7 (a) does or does not practice in particular fields of law.

8 (b) A lawyer admitted to engage in patent practice before the United States Patent  
9 and Trademark ~~e~~Office may use the designation "~~p~~Patent ~~a~~Attorney" or a substantially  
10 similar designation; ~~and.~~

11 ~~(b) In accordance with any plan regulating lawyer specialization approved and~~  
12 ~~promulgated~~

13 (c) A lawyer engaged in Admiralty practice may use the designation "Admiralty,"  
14 "Proctor in Admiralty" or substantially similar designation.

15 (d) A lawyer shall not state or imply that a lawyer is certified as a specialist in a  
16 particular field of law, unless:

17 (d)(1) the lawyer has been certified as a specialist by an organization that has been  
18 approved by an appropriate state authority or that has been accredited by the American  
19 Bar Association; and

20 (d)(2) the name of the certifying organization is clearly identified in the  
21 communication. ~~by the Utah Supreme Court.~~

22 **COMMENT**

23 ~~See In re Utah State Bar Petition for Approval of Changes in Disciplinary Rules on~~  
24 ~~Advertising, 647 P.2d 991 (Utah 1982).~~

25 Comment

26 [1] Paragraph (a) of this Rule permits a lawyer to indicate areas of practice in  
27 communications about the lawyer's services. If a lawyer practices only in certain fields  
28 or will not accept matters except in a specified field or fields, the lawyer is permitted to  
29 so indicate. A lawyer is generally permitted to state that the lawyer is a "specialist,"  
30 practices a "specialty" or "specializes in" particular fields, but such communications are

31 subject to the “false and misleading” standard applied in Rule 7.1 to communications  
32 concerning a lawyer’s services.

33 [2] Paragraph (b) recognizes the long-established policy of the Patent and  
34 Trademark Office for the designation of lawyers practicing before the Office. Paragraph  
35 (c) recognizes that designation of Admiralty practice has a long historical tradition  
36 associated with maritime commerce and the federal courts.

37 [3] Paragraph (d) permits a lawyer to state that the lawyer is certified as a specialist  
38 in a field of law if such certification is granted by an organization approved by an  
39 appropriate state authority or accredited by the American Bar Association or another  
40 organization, such as a state bar association, that has been approved by the state  
41 authority to accredit organizations that certify lawyers as specialists. Certification  
42 signifies that an objective entity has recognized an advanced degree of knowledge and  
43 experience in the specialty area greater than is suggested by general licensure to  
44 practice law. Certifying organizations may be expected to apply standards of  
45 experience, knowledge and proficiency to insure that a lawyer’s recognition as a  
46 specialist is meaningful and reliable. In order to insure that consumers can obtain  
47 access to useful information about an organization granting certification, the name of  
48 the certifying organization must be included in any communication regarding the  
49 certification.

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